(Sagar Mal Sharma Vs. Miss Jyoti Sharma)
S.B. CIVIL REVISION PETITION NO. 370/2006.

Date of order : 27.07.2006

HON'BLE MR. JUSTICE PRAKASH TATIA

Mr. GJ Gupta, for the petitioner.

Heard the learned counsel for the petitioner.

The petitioner has preferred this revision petition against the order dated 27th April, 2006 by which the petitioner non applicant's application under O.7 R.11 was dismissed by the court below. According to learned counsel for the petitioner, the daughter of the petitioner filed the petition for maintenance under Sec.20 of the Hindu Adoption and Maintenance Act by stating that she is not getting any maintenance and she is unable to maintain her whereas in fact, she is getting maintenance under Sec.125 CrPC, therefore, there is no merit in the case of the applicant respondent.

The plea taken by the respondent is on merit of the claim of the applicant -respondent and does not fall in any of the clause of O.7 R.11 CPC. The court below rightly rejected the application.

Hence the revision petition is dismissed.

(PRAKASH TATIA), J.

gandhi/